

REMARKS

Claims 12-19, 25 and 31 have been cancelled from the present application. The claims remaining in the application are 1-11, 20-24 and 26-30.

Examiner Misleh is thanked for the Examiner's interview with Wendy Buskop, Esq. on November 16, 2004.

Drawings

The following drawings informalities have been amended.

The paragraph beginning on page 2, line 3, has been amended to delete the incorrect reference number, 31, for the eight-sided polygon. The correct reference number, 70, has been added.

Reference number 14 for the CMOS sensors, shown in Figure 3, has been added to the specification and Parts List.

Reference numbers 73-78 for the facets, shown in Figure 1, have been added to the specification and Parts List.

Reference number 116 for the angle, shown in Figure 4, has been added to the specification and Parts List.

Specification/Claim Objections

The Office Action has objected to claim 16 because of several informalities.

Antecedent basis for claim 16 has been corrected. Claim 16 now correctly depends on claim 14, as suggested by the Examiner and the term "perpendicular" has been deleted from claim 16 as suggested by the Examiner.

Rejection Under 35 U.S.C. § 102

The Office Action has rejected claims 1-5, 10-14, 16, 17, and 31 under 35 U.S.C. 102(e) for being anticipated by Lambert (U.S. 6,750,904). This rejection is respectfully traversed.

The invention of the current application is for a method of taking and storing images using one image capture device with sets of columns, wherein one set takes a first picture and a second set of columns takes a second picture. The pictures are taken at a first position and at a second position to then be stored.

Claim 1 was rejected as anticipated by the Lambert reference. The Lambert reference teaches using a “camera system has n image capture devices, with segments of the image captured by each device being used to generate an interleaved image...” (Column 6, Line 23-25). In contrast, the current application uses a single image capture device.

The Lambert reference is for a camera with multiple lenses and multiple image capturing devices. The Lambert reference states, “Each of the plurality of image capture devices comprises a CCD array embedded in a semiconductor substrate such as a silicon substrate and in optical alignment with a lens.” (Column 5, Line 21-24). A plurality means that more than one image capture device is required by the Lambert reference. Applicant does not use “a plurality” of image capture device.

Claim 1, as amended, recites “moving the charged couple device to a second position.” Further, the current application states, “To capture a 3d preselected lenticular image the camera operator takes a first photograph at a first position ... A second photograph is taken at a second position, and a third photograph at a third position.” (Paragraph [0024]).

The invention of Lambert takes multiple images simultaneously through a plurality of image capture devices this is expensive, weights more than a single image capture device, and has multiple repair and malfunction issues. In contrast, the embodied invention of the current application uses one image capture device to capture images at different positions. The embodied invention is, therefore, less expensive, since it has fewer parts, weighs less and has improved reliability because fewer parts are present that could break down.

Claim 2 was also rejected as anticipated by the Lambert reference. Claim 2 now recites “first charged coupled device sensor columns” to clarify that the columns are columns on the charged couple device. In contrast to the use of sensor columns, the Lambert patent states that “A first address line and a corresponding output data line connect to a first column of a first storage array.” (Column 6, Lines 2-4). The Lambert reference and the embodiments of the current application are different in that the columns in the current application refer to columns on the sensor device and the columns of the Lambert reference refer to a storage device. Sensors are not storage devices.

Reconsideration of amended claims 1 and 2 in view of Lambert is respectfully requested.

Claim 3 was rejected as anticipated by the Lambert reference. Claim 3 was amended to state, “moving the charged coupled device to a third position after creating the second digital image and”. Claim 3 is dependent on claim 1 and is believed distinguished from the Lambert reference for the same reasons stated in claim 1.

Reconsideration of amended claim 3 in view of the Lambert reference is respectfully requested.

Claim 4 was rejected as anticipated by Lambert. Claim 4 was amended to state, “first charged coupled device sensor columns”. Claim 4 is also dependent on claim 1 and believed distinguishable from the Lambert reference for the same reasons stated in claim 1.

Dependent claims 5, 10, and 11 were rejected as anticipated by the Lambert reference. Claim 5 is for previewing a lenticular image. Claims 10 and 11 are for selecting the type of image. Claims 5, 10, and 11 depend from amended claim 1. Since amended claim 1 is believed by applicant to be distinguishable from the Lambert reference, reconsideration of claims 5, 10, and 11 is requested.

Claims 12-14 and 16-17 are canceled.

Claim 31 was rejected as anticipated by the Lambert reference. Claim 31 has been cancelled.

The applicant respectfully requests reconsideration of the claims in view of the claim amendments.

Rejection Under 35 U.S.C. § 103

The Office Action has rejected claims 18-24, 29, and 30 under 35 U.S.C. 103(a) as being unpatentable over Lambert (U.S. 6,750,904). This rejection is respectfully traversed. Claims 18 - 19 are canceled.

Claim 20 was rejected as anticipated by the Lambert reference. Claim 20 has been amended to include the following “moving the complementary metal oxide semiconductor to a second position.” By adding this language to the language of claim 20 shows that the camera embodied in the current application uses only one image capture device. The image capture device is one

complementary metal oxide semiconductor that is moved from a first position to a second position. The first image is taken at the first position and the second image is taken at the second position. The first image is taken on the first complementary metal oxide semiconductor columns and the second image is taken on the second complementary metal oxide semiconductor columns. The current application states, "To capture a 3d preselected lenticular image the camera operator takes a first photograph at a first position ... A second photograph is taken at a second position, and a third photograph at a third position." (Paragraph [0024])

The Lambert reference takes multiple images simultaneously through a plurality of image capture devices, the embodied invention of the current application uses one image capture device to capture images at different positions.

Claims 21, 22, 23, 24, 29, and 30 are dependent from the independent claim 20. Claims 21, 22, 23, 24, 29, and 30 are believed distinguished from the Lambert reference for the same reasons as discussed regarding claim 20.

The Office Action has rejected claims 6-9, 15, and 25-28 under 35 U.S.C. 103(a) as being unpatentable over Lambert (U.S. 6,750,904) in view of Kurahashi et al. (U.S. 6,278,480). This rejection is respectfully traversed.

The embodied invention in the current application is used to take multiple images from different positions on the same CCD or CMOS and display them on a lenticular screen.

The Kurahashi reference is for a screen, "capable of displaying a stereoscopic image or a panorama image according to the selected mode." (Column 5, Line 26-27)

The Kurahashi reference discloses the use of a lenticular screen; however, the Kurahashi reference does not add the missing elements of the Lambert reference. The camera in the Lambert reference requires a plurality of image capturing devices to create an image to be displayed on the lenticular screen. The image of the current embodied invention is captured in a different way than that of the Lambert reference. The Kurahashi reference is for a

lenticular screen, which does not add the required missing elements of the Lambert reference.

The applicant respectfully requests reconsideration of the claims in view of the claim amendments.

CONCLUSION

Dependent claims not specifically addressed add additional limitations to the independent claims, which have been distinguished from the prior art and are therefore also patentable.

In conclusion, the prior art cited by the Examiner does not disclose the limitations of the claims of the present invention, either individually or in combination. Therefore, it is believed that the claims are allowable.

If the Examiner is of the opinion that additional modifications to the claims are necessary to place the application in condition for allowance, she is invited to contact Applicant's attorney at the number listed below for a telephone interview and Examiner's amendment.

Respectfully submitted,



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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.